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Attorney Docket No. P1123R1D1  
PATENT

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1373 U.S. PTO

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CERTIFICATION UNDER 37 CFR 1.10

EL142012705US: Express Mail Number

November 17 2000: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box PATENT APPLICATION, Director of Patents and Trademarks, Washington, DC 20231.

*Glory L. Tabuena*  
Glory L. Tabuena

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION  
Director of Patents and Trademarks  
Washington, DC 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Henry B. Lowman, El Granada, California  
Leonard G. Presta, San Francisco, California  
Paula M. Jardieu, San Mateo, California  
John Lowe, Daly City, California

Title: **Anti-IgE Antibodies and Method of Improving Polypeptides**

1. **Type of Application**

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☐ continuation ☒ divisional application claiming priority to application Serial Number 09/109,207, filed June 30, 1998, the entire disclosure of which is hereby incorporated by reference.

2. **Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)**

- 80 pages of specification
- 2 pages of claims
- 1 page(s) of abstract
- 19 sheet(s) of drawings
- ☒ formal ☐ informal

**3. Declaration or Oath**

*(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*  
\_\_\_ An executed declaration of the inventor(s) [] is enclosed [] will follow.

*(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*  
X A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

*(for Cont./Div. where inventor(s) being deleted)*  
\_\_\_ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

**4. Assignment**

*(for new and CIP applications)*  
\_\_\_ An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [] will follow.

*(for cont./div.)*  
X The prior application is assigned of record to Genentech, Inc.

**5. Amendments (for continuation and divisional applications)**

X Cancel in this application original claims 1-31 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

X A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

**Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119**

X Amend the specification by inserting before the first line the sentence:

--This is a

\_\_\_ non-provisional application  
\_\_\_ continuation  
X divisional  
\_\_\_ continuation-in-part

of co-pending application(s)

X Serial No. 09/109,207 filed on June 30, 1998, which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120. --  
\_\_\_ International Application \_ filed on \_ which designated the U.S., which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120.--

X provisional application No. 60/051,554 filed July 2, 1997, the entire disclosure of which is hereby incorporated by reference and to which application(s) priority is claimed under 35 USC §119.--.

6. **Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	10	- 20 =	0	X \$18.00	\$0.00
Independent Claims	1	- 3 =	0	X \$80.00	\$0.00
Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$710.00

7. **Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of **\$710.00. A duplicate copy of this transmittal is enclosed.**

8. **Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

9. **Additional Papers Enclosed**

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☒ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- ☐ A new Power of Attorney or authorization of agent.
- ☐ Other:

10. **Maintenance of Copendency of Prior Application (for continuation and divisional applications)**

*[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- \_\_\_\_\_ A petition, fee and/or response has been filed to extend the term in the pending prior application until \_\_\_\_\_
- \_\_\_\_\_ A copy of the petition for extension of time in the **prior** application is attached.

11. **Correspondence Address:**

X Address all future communications to:

GENENTECH, INC.  
Attn: Craig G. Svoboda, Esq.  
1 DNA Way  
South San Francisco, California 94080-4990  
(650) 225-1489

Respectfully submitted,  
GENENTECH, INC.

Date: November 17<sup>th</sup>, 2000

By: Craig G. Svoboda  
Craig G. Svoboda  
Reg. No. 39,044

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09/716028

Patent Docket No. P1123R104

#1/2  
Reg. Lib.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Lowman <i>et al.</i> <b>AV1644</b>	Group Art Unit: not assigned
Serial No.: not assigned	Examiner: not assigned
Filed: herewith <b>C1536</b>	<b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box PATENT APPLICATION, Director of Patents and Trademarks, Washington, DC 20231 on November 17, 2000 <i>Glory L. Tabuena</i> Glory L. Tabuena
For: Anti-IgE Antibodies and Method of Improving Polypeptides	

LETTER AND REQUEST TO USE COMPUTER-READABLE SEQUENCE LISTING  
UNDER 37 CFR §1.821(e)

Box PATENT APPLICATION  
Director of Patents and Trademarks  
Washington, DC 20231

09/716,028  
11-17-00

Sir: Pat. # 6,172,213

R-60

Applicants respectfully request that the revised compliant computer-readable Sequence Listing filed in application Serial No. 09/109,207 on April 24, 2000 be used as the computer-readable Sequence Listing for the present, above-identified application.

The paper copy of the Sequence Listing filed in the present application is identical to the computer-readable copy of the Sequence Listing filed in the application Serial No. 09/109,207. The present submission contains no new matter.

Respectfully submitted,

GENENTECH, INC.

Date: November 17, 2000

By: *Craig G. Svoboda*  
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